

# **EXHIBIT 3**

**SFGATE**<http://www.sfgate.com/crime/article/Former-S-F-County-Jail-inmates-sue-over-forced-fights-6894960.php>

## Former S.F. County Jail inmates sue over forced fights

By **Vivian Ho** Published 9:25 pm, Wednesday, March 16, 2016

Three former San Francisco county jail inmates filed a lawsuit Wednesday against the deputies and former deputy criminally charged with forcing them to fight each other for entertainment while they were locked up.

**Ricardo Palikiko Garcia, Stanley Harris** and **Keith Dwayne Richardson** accused the San Francisco Sheriff's Department and former Sheriff **Ross Mirkarimi**, who was in charge when the events allegedly took place, of violating their constitutional rights through cruel and unusual punishment and intentional infliction of emotional distress.

The men named in their lawsuit former Deputy **Scott Neu** — the alleged ringleader of the fights — and **Deputies Eugene Jones** and **Clifford Chiba**, who were all criminally charged earlier this month for their part in allegedly forcing Harris and Garcia to fight each other on at least two occasions at County Jail No. 4 at 850 Bryant St.

They also named Deputy **Evan Staehely**, who was identified when the allegations came out in March 2015, but was not criminally charged.

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According to the lawsuit, the deputies — Neu in particular — created an environment of fear through threats of violence and retribution. They twice made Garcia and Harris bruise and bloody each other in fights they placed bets on, instructing them not to hit each other in the face and to lie if they needed medical attention.

The deputies told the inmates that if they didn't participate or if they reported the fights to anyone, they would either get beaten by the deputies, lose their privileges of working in the kitchen or be moved to a jail with worse conditions.

Attorneys for Neu, Jones and Chiba have denied any criminal wrongdoing. Harry Stern, Neu's attorney, declined to comment on the lawsuit. Attorneys for Jones and Chiba did not immediately return calls for comment. The city attorney's office declined to comment.

The deputies forced Harris and Garcia to go all out, according to the lawsuit, and Garcia, who was significantly smaller than Harris, reported suffering severely injured ribs and at one point passing out from the pain during a fight but being forced to continue.

All three inmates said Neu had a habit of making them gamble for food, television and work privileges. Harris, who served an earlier sentence in jail from 2010 to 2012, had the longest experience with Neu, saying in the lawsuit that Neu told Harris that he could not leave on his release date in 2012 if he did not do 50 push-ups.

During his most recent stint in jail in 2015, Neu allegedly would humiliate Harris, who is overweight, by taking his food and making him exercise. Harris said Neu would joke about training his "prize fighter," in one instance forcing him to do 200 push-ups in an hour.

Prosecutors did not file charges for any allegations involving the third inmate, Richardson. However, the lawsuit said while he was never forced to brawl like Garcia and Harris, Neu once tried to make him fight a white inmate, intentionally trying to stir up racial tensions by using a racial slur on Richardson, who is black.

Neu was charged with 17 criminal counts that carry a total sentence of up to 10 years in state prison for his role in two fights involving Harris and Garcia. Jones was charged for taking part in one fight and Chiba was charged with knowing of the fights but not reporting them.

Neu, who was previously accused in a lawsuit of sexually assaulting three inmates, was fired from the department. After the charges were filed, Jones was placed on unpaid administrative leave while Chiba remained in a position in which he has no contact with prisoners.

All three are out on bail.

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